

**Statements:****Coal:**

Every projection and model makes clear that coal will continue to be the largest single source of electricity for decades. As industry reports have made clear, changes taking place in the power sector largely reflect the independent, financial decisions that utilities are making in response to a number of dynamic factors including the increase in low-cost, abundant natural gas, slow electricity demand growth, spare capacity at natural gas power plants, aging coal-fired plants and state and local regulations.

EPA's ongoing focus is on addressing pollution from all sources, including coal, and taking steps to protect our nation's children and families from toxic air pollutants like mercury, arsenic and nickel - pollutants that put Americans, especially children, at risk for developmental disorders and respiratory illnesses like asthma. The steps that EPA has announced to address these concerns rely on technology that is already available, or provide pathways that will ensure a diverse fuel mix going forward.

**RTP:**

EPA's mission is to protect people's health and the environment. The Agency has looked into concerns, which were brought to its attention by an outside party, about compost being used in a garden at its Research Triangle Park facility and has determined that the soil being used is in compliance with all EPA guidelines for agricultural use. EPA is working with staff at its RTP office to assess any further concerns and will take action as needed.

**Four Gallon Minimum:**

EPA does not mandate a four gallon purchase minimum for E15, or the use of E15 in general. EPA has approved misfueling mitigation plans (MMPs) chosen by companies that require a four gallon purchase minimum to prevent vehicles with smaller fuel tanks from being exposed to gasoline-ethanol blended fuels containing greater than 10 percent ethanol volume. This minimum applies only to the retailers that have a dual E10 / E15 nozzle, which represent less than one-tenth of one percent of gas pumps nationwide.

**Background:**

This does not apply to the overwhelmingly vast number of gas pumps in use everyday. Most retailers will use separate nozzles for E10 and E15, or may choose to not even sell E15, as EPA does not mandate the use of E15.

E15 producers are required to submit misfueling mitigation plans and participate in compliance surveys of retailers, among other steps, to limit the potential for misfueling of E15 and higher ethanol blends into motorcycles. EPA is working with stakeholders across the industry on communications and consumer awareness campaigns to help ensure misfueling does not occur.

**USGS:**

Data released by the United States Geological Survey (USGS) is generally consistent with ground water monitoring data previously released by the Environmental Protection Agency (EPA) for the Pavillion, Wyoming area. That data was released for public comment and review, and the important feedback

received from these steps will help inform the final analysis. Once finalized, the latest EPA data, along with the USGS data, will be submitted to an independent, expert peer review as part of the ongoing scientific process later this year.

#### Background:

Natural gas plays a key role in our nation's clean energy future and the Obama Administration is committed to ensuring that we continue to leverage this vital resource safely and responsibly. At the request of Pavillion residents, EPA – in conjunction with the state of Wyoming, the local community, and Encana – began investigating water quality concerns in private drinking water wells three years ago, working to assess ground water quality and identify potential sources of contamination.

It is important to note that the draft findings are specific to Pavillion, where the fracturing is taking place in and below the drinking water aquifer and in close proximity to drinking water wells – production conditions different from those in many other areas of the country.

#### **EPA Pavillion Data:**

EPA has provided its state of Wyoming and Northern Arapaho and Eastern Shoshone tribal partners with monitoring data regarding the agency's ongoing analysis of ground water quality in the Pavillion, Wyoming area. This data will be made publicly available once the Agency's partners have had an opportunity to review. The data, along with EPA's draft report and USGS data, will be submitted to an independent expert peer review panel later this year. EPA will also take public comment on its data and will be extending the comment period to give stakeholders sufficient time to consider all data related to the Pavillion, Wyoming groundwater investigation.

#### **Arsenic in Rice:**

Consumer Report's article refers to EPA's policy for human carcinogens. When there are not sufficient data to understand how a chemical causes cancer, EPA uses a default approach. The body of data on inorganic arsenic continues to grow and we will continue to evaluate this question as we learn more."

#### Background:

In 1974, Congress passed the Safe Drinking Water Act. This law requires EPA to determine the level of contaminants in drinking water at which no adverse health effects are likely to occur. These non-enforceable health goals, based solely on possible health risks and exposure over a lifetime with an adequate margin of safety, are called maximum contaminant level goals (MCLG). Contaminants are any physical, chemical, biological or radiological substances or matter in water.

"The MCLG for arsenic is zero. EPA has set this level of protection based on the best available science to prevent potential health problems. Based on the MCLG, EPA has set an enforceable regulation for arsenic, called a maximum contaminant level (MCL), at 0.010 mg/L or 10 ppb. MCLs are set as close to the health goals as possible, considering safety, cost, benefits and the ability of public water systems to detect and remove contaminants using suitable treatment technologies.

#### **RFS:**

In 2007, Congress passed the Energy Independence and Security Act, which sets renewable fuel volume targets for the United States annually. EPA has the authority to grant a full or partial waiver if certain predetermined criteria are met.

EPA has issued a Federal Register notice opening a 30-day public comment period on requests from the Governors of Arkansas and North Carolina to waive the Renewable Fuel Standard requirements. This notice is in keeping with EPA's commitment to an open and transparent process to evaluate requests the agency receives under the Clean Air Act, and does not indicate any predisposition to a specific decision. The statute provides the Agency with 90 days in which to make a decision.

Background:

EPA has received petitions from a number of states as well as requests for action from industry and members of Congress. The agency has received and acted on similar petitions in the past, following the same Clean Air Act process.

The Energy Independence and Security Act of 2007 updated renewable fuel volume targets. Congress has also given EPA the authority to include provisions that allow the EPA Administrator to grant a full or partial waiver if implementation would severely harm the economy or environment of a state, region, or the entire country, or if EPA determines that there is inadequate domestic supply of renewable fuel. In consultation with the Departments of Agriculture and Energy, EPA must decide on a waiver request within 90 days of receiving it. EPA and its federal partners continue to closely monitor the drought's impacts on crop supplies. The total renewable fuel mandate for 2012 is the equivalent of 15.2 billion gallons.

**RFS Comment Extension:**

In response to several requests, EPA is extending the public comment period by 15 days on its consideration of a waiver of the Renewable Fuel Standard requirement. In consultation with the Departments of Agriculture and Energy, EPA has 90 days to decide on the waiver requests, and that 90-day period began August 13, 2012. Extending the comment period will have no impact on the 90-day deadline.

Background:

EPA has received petitions from a number of states as well as requests for action from industry and members of Congress. The agency has received and acted on similar petitions in the past, following the same Clean Air Act process.

The Energy Independence and Security Act of 2007 updated renewable fuel volume targets. The statute provides the EPA Administrator authority to grant a full or partial waiver of the RFS volume mandate if implementation would severely harm the economy or environment of a state, region, or the entire country, or if EPA determines that there is inadequate domestic supply of renewable fuel. As provided for in the statute EPA will coordinate closely with USDA and DOE in its consideration of the waiver requests.